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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,929	03/02/2004	Curtis B. Johnson	H0006338-0779	3823

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EXAMINER

BROWN, VERNAL U

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

87

Office Action Summary	Application No. 10/791,929	Applicant(s) JOHNSON ET AL.	
	Examiner Vernal U. Brown	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) ✓ | 4) <input type="checkbox"/> Interview Summary (PTO-413) .
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to communication filed on July 11, 2006.

Response to Amendment

The examiner has acknowledged the amended claims 1-4, 11, 15-17.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 11, and 13-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Suman et al. US Patent 6028537 in view of Lightner et al. US Patent 6732031.

Regarding claim 1, 11, and 13-14, Suman teaches a latch communication system, comprising:

a host computer (13) and a wireless network (col. 7 lines 24-31);

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a communication receiver and transmitter unit formed by transceiver (70), the receiver and transmitter is associated with a latch (lock) because the command to operate the lock is received by the receiver of transceiver (70) (col. 12 lines 14-20);

an interface component in the form of a cellular modem (76) for interfacing with the communication receiver and transmitter unit (col. 12 lines 14-16) and the cellular modem is also co-located with the transceiver;

an interpreter provided by processor 66 for processing information received from the communication transceiver and receiver in order to provide latch functionalities (col. 12 lines 14-20). Suman is silent on teaching providing latch diagnostics. Lightner in an art related vehicle diagnostic system for vehicle invention teaches a host computer (12) interfacing with a vehicle system for providing diagnostic including the status of the door lock system (col. 6 lines 36-40) in order to characterized a vehicle performance and to detect problem relating to the operation of the vehicle.

It would have been obvious to one of ordinary skill in the art to modify the latch system of Suman as disclosed by Lightner because providing latch diagnostics allows the characterization of a vehicle performance and to detect problems relating to the operation of the vehicle.

Regarding claim 2 and 15 Suman et al. teaches the wireless communication network is a paging network (col. 6 lines 4-8).

Regarding claim 3 and 16, Suman et al. teaches the wireless communication components include an antenna (71) and associated circuitry (col. 10 lines 59-64).

Regarding claim 4 and 17 Suman et al. teaches a direct wire connection for communicating data to and from the interpreter (66) as shown in figure 5.

Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suman et al. US Patent 6028537 in view of Lightner et al. US Patent 6732031 and further in view of Heaston et al. US patent 5748422.

Regarding claims 5 and 18, Suman et al. teaches a wired connection between the interpreter 66 and the transceiver 70 as shown in figure 5 but is silent on teaching a voltage level shifter for transforming voltage level for communication with the interface component. Heaston et al. in an art related power latch invention teaches the use of a voltage level shifter for transforming a voltage to a desired level (col. 6 lines 21-30) in order to satisfy the voltage level requirement of an interface unit.

It would have been obvious to one of ordinary skill in the to modify the latch control system of Suman et al. in view of Lightner et al. as disclosed by Heaston et al. because a voltage shifter is necessary for transforming a voltage to a desired level in order to satisfy the voltage level requirement of an interface unit.

Claims 6-10, 12, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suman et al. US Patent 6028537 in view of Lightner et al. US Patent 6732031 and further in view of Knight et al. US Patent 20030167345.

Regarding claims 6-10, 12, and 19-20, Suman et al. teaches an interface for transmitting and receiving data between a host computer and transceiver (see response to claim 1) but is silent on teaching the interface comprises a UART. Knight et al. in an art related vehicle communication system invention teaches the use of a UART in the vehicle communication interface (paragraph 00189) and the UART transmits in parallel by assembling the bit received into bytes and transmitting the assembled bytes to the processor (paragraph 0188). Knight et al. further teaches integrating the UART and having the UART separate (paragraph 0164) based on the desired application.

It would have been obvious to one of ordinary skill in the art to modify the latch control system of Suman et al. in view of Lightner et al. as disclosed by Knight because the use of a UART in a vehicle communication system facilitates the transfer of data between devices with different communication protocol.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 571-272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Vernal Brown
September 19, 2006



BRIAN ZIMMERMAN
PRIMARY EXAMINER